

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (91-5787)

DATE: 10/2/52

FROM : SAC, OMAHA (91-620)

SUBJECT: BENNIE BARONE, was.;
YANCY DOUGLAS HARDY, was.;
PASQUALE JOSEPH BELCASTRO, was.;

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b7C

[REDACTED];
Laurens State Bank, Laurens,
Iowa, November 3, 1950;
MISPRISION OF FELONY; ACCESSORY
AFTER THE FACT

Re mylet 7/18/51.

Government witnesses PASQUALE JOSEPH BELCASTRO and [REDACTED] inmates of the Federal Correctional Institution, Milan, Michigan, were delivered to the Douglas County Jail, Omaha, by the USM on 9/30/52, for safekeeping pending the receipt of their testimony in instant case, the trial of which begins about 10/7/52.

A pre-trial interview of BELCASTRO and [REDACTED] in the Douglas County Jail on 10/1/52 resulted in another request from these witnesses for a transfer subsequent to their testifying. They pointed out they believed the government would be put to little extra expense through committing them at the Federal Correctional Institution in either Seagoville, Texas or Tallahassee, Florida. They pointed out that such a move by the government would be of great assistance in aiding them to retain their accrued good time and possibly save their respective lives.

The Bureau is respectfully requested to furnish the attached memorandum to the Bureau of Prisons, Washington, D.C., in an effort to secure the requested transfer within the next two weeks to insure the safety and future cooperation of these witnesses.

ELJ:DR

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R. H. G.

RE: PASQUALE JOSEPH BELCASTRO. 15519-MM
[redacted]

Inmates, Federal Correctional Institution
Milan, Michigan

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In connection with case entitled "BENNIE BARONE, was.;
YANCY DOUGLAS HARDY, was.; PASQUALE JOSEPH BELCASTRO, was.;
[redacted] was.; Laurens State Bank, Laurens,
Iowa, November 3, 1950; MISPRISION OF FELONY; ACCESSORY
AFTER THE FACT", the government will place BENNIE BARONE
on trial on about October 7, 1952 in U. S. District Court,
Omaha, Nebraska, on four violations committed on or about
November 3, 1950. Two indictments have been returned by
the Federal Grand Jury, Omaha, for these violations. They
consisted of (1) receiving, relieving, comforting and assis-
ting HARDY and BELCASTRO in order to hinder and prevent
their apprehension, trial and punishment --- 18 USC 3;
(2) transporting and causing to be transported in interstate
commerce from Sioux City, Iowa to Omaha, Nebraska certain
lawful money of the United States and securities exceeding
\$5000.00 in value, which had thereto been stolen from the
Laurens State Bank of Laurens, Iowa, November 3, 1950, the
securities consisting of American Express Company and Bank
of America Travellers Cheques, knowing the same to have
been stolen; and (3) receiving, possessing, concealing,
storing, bartering and disposing of money and property,
knowing the same to have been taken from and belonging to
and being in the care, custody, control, management and
possession of the Laurens State Bank of Laurens, Iowa, de-
posits of said bank which were insured by the Federal Deposit
Insurance Corporation, such taking of said monies from said
bank being in violation of Sub-Section B of Section 2113,
Title 18, U. S. Code.

The second indictment in which BELCASTRO and [redacted] will
be witnesses this month is of BARONE, BELCASTRO,
and HARDY for conspiracy to transport and cause to be trans-
ported from Sioux City, Iowa to Omaha, Nebraska and from
Nebraska to other states, certain stolen lawful money of
the United States and other valuable securities exceeding
\$5000.00 value, knowing the same to have been stolen. This
indictment listed eight overt acts.

In addition to the above-mentioned prosecution of about
October 7, 1952, BELCASTRO, and possibly [redacted] are to
be witnesses in the government's case at Sioux Falls, South
Dakota, against YANCY DOUGLAS HARDY for the robbery of the
Bank of Garretson, Garretson, South Dakota, October 4, 1950.

JAMES BLAIR [redacted]

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ENCLOSURE

In a pre-trial interview conducted October 1, 1952 in the Douglas County Jail, Omaha, Nebraska, in connection with the pending BARONE trial, BELCASTRO and [redacted] advised SA ELMER L. JACOBSEN of the Omaha FBI Division that they were again apprehensive about testifying for the government and thereafter being returned to the same institution from which they had been temporarily removed to permit their testifying. It is to be noted that on Monday, September 29, 1952, they were removed by the U. S. Marshal, Omaha, Nebraska, from the Federal Correctional Institution, Milan, Michigan, and placed in the Douglas County Jail on the night of September 30, 1952 on a writ ad testificandum. They stated that as it became generally known to the population of the Milan institution that they were to be government witnesses, they were beset with numerous inquiries from inmates concerning their intention in connection with the testimony they would be called to give. They avoided most of these questions but state that they noted resentment building up among their fellow inmates.

It is quite apparent that BELCASTRO and [redacted] intend to continue to cooperate with agents of this Bureau in furnishing information and testimony in connection with Federal violations of KENNETH ALLEN KITTS and associates. In the past they have served in a highly satisfactory manner as witnesses in connection with charges against KITTS, HARDY and BARONE. It will be noted that by memorandum dated July 24, 1951 Mr. JAMES M. MC INERNEY, Assistant Attorney General and Mr. JAMES V. BENNETT, Director, Bureau of Prisons, were advised of the then already apparent cooperative background of BELCASTRO and [redacted] with regard to serving as government witnesses. At the present time, according to BELCASTRO and [redacted] they have made excellent records at the Federal Correctional Institution, Milan; that they are very well satisfied with their work assignments and with the administration of that institution; and that it is only because they fear that their accrued good time, and possibly their lives, will be in jeopardy if they testify truthfully and fully and thereafter are returned to Milan.

BELCASTRO and [redacted] mentioned two Federal Correctional Institutions, a transfer to either of which they claim would obviate the above-mentioned dangers. These institutions are located, according to the witnesses, at Seagoville, Texas and Tallahassee, Florida.

Assistant United States Attorney JOHN E. DEMING, Omaha, Nebraska, stated that he personally approves of this request and believes that the position of the witnesses in

this matter merits favorable action in this regard. He advised that BELCASTRO and [redacted] in all probability, will not be used as witnesses until the latter part of the week of October 5, 1952 and that, therefore, they probably will be available for transfer from the Douglas County Jail about October 13, 1952.

MURRAY
Assistant Attorney General
Charles B. Murray

October 8, 1952

Director, FBI
RECORDED - 116

EX-23

BENNIE BARONE, was.;
YANCY DOUGLAS HARDY, was.;
PASQUALE JOSEPH BELCASTRO, was.

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Laurens State Bank, Laurens,
Iowa, November 3, 1950;
MISPRISION OF FELONY; ACCESSORY
AFTER THE FACT

G.I.R.-3

Reference is made to my memorandum of July 24, 1951, entitled, "Kenneth Allen Kitts, was., et al, Laurens State Bank, Laurens, Iowa, November 3, 1950, Bank Robbery - Burglary; Interstate Transportation of Stolen Property; Escape and Rescue; Harboring; Interstate Transportation of Stolen Motor Vehicle; Accessory After The Fact; Misprision of Felony," which set forth information regarding Pasquale Joseph Belcastro and [redacted] and their desire to be moved from the Federal Penitentiary at Terre Haute, Indiana, because of their fear of the actions of their fellow prisoners, for having testified for the Government in the case against Kenneth Allen Kitts.

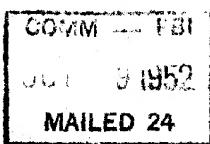
Belcastro and [redacted] have been inmates of the Federal Correctional Institute, Milan, Michigan, and were delivered to the Douglas County Jail, Omaha, Nebraska, by the United States Marshal on September 30, 1952, for safekeeping pending the receipt of their testimony in the captioned case, the trial of which begins about October 7, 1952. A pretrial interview of Belcastro and [redacted] in the Douglas County Jail on October 1, 1952, resulted in another request from these witnesses for a transfer subsequent to their testifying. There is attached a copy of a memorandum prepared by the Omaha Office of this Bureau dated October 2, 1952, regarding Belcastro and [redacted] which sets forth in detail the basis for the request made by Belcastro and [redacted]

The above is being brought to your attention for your consideration, and a copy of this letter and a copy

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Ladd
Nichols
Belmont
Clegg

Holloman
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of the attachment are being furnished to Mr. James V. Bennett, Director, Bureau of Prisons.

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It is noted that Belcastro and [redacted] will probably be available for transfer from the Douglas County Jail about October 13, 1952, in the event favorable consideration is given to their request for transfer.

Enclosure

- cc: 1 Mr. James V. Bennett, Director (with enclosure)
Bureau of Prisons
- cc. 1 Omaha (AMSD) (91-620) This matter should be followed closely by your office and the Bureau advised of the action taken regarding the transfer of Belcastro and [redacted]

RLB:enm

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Glavin _____
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Laughlin _____
Mohr _____
Tele. Rm. _____
Holloway _____
Gandy _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

FBI, OMAHA

10/23/52 PM CST

DIRECTOR, FBI

BENNIE BARONE, WAS., YANCY DOUGLAS HARDY, WAS., PASQUALEJOSEPH BELCASTRO, WAS., [REDACTED] ., LAURENSSTATE BANK, LAURENS, IA., NOVEMBER THREE, FIFTY, MISPRISION

OF FELONY, ACCESSORY AFTER THE FACT.

REMYLET OCTOBER TWO LAST AND CC OF BUMEMO TO ASSISTANT AG
CHARLES B. MURRAY, AT THE END OF WHICH THE BUREAU REQUESTED
TO BE NOTIFIED OF ANY ACTION TAKEN ON THIS MEMO BY THE BUREAU
OF PRISONS. BY TELETYPE RECEIVED OCTOBER SEVENTEEN LAST, JAMES
V. BENNETT, DIRECTOR, BUREAU OF PRISONS, INDICATED ANOTHER
INSTITUTION MIGHT BE DESIGNATED FOR BELCASTRO AND [REDACTED]
AND REQUESTED USM, OMAHA TO ADVISE WHEN BELCASTRO AND [REDACTED]
ARE FREE TO BE RETURNED TO PRISON. BARONE CASE GOING TO JURY
TODAY. BELCASTRO AND [REDACTED] MADE EXCELLENT WITNESSES,
TESTIFYING FULLY AND TRUTHFULLY.

DALTON

END.

ELJ:DR
91-620

71-5784

AIRMAIL

Approved: _____
Sgt
53 NOV 4 1952 Special Agent in Charge

Sent _____ M Per _____

cc [Signature]
m [Signature]

BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

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AIR MAIL *Dom*

Bo
Transmit the following Teletype message to:

FBI, OMAHA

11/24/52

DIRECTOR, FBI

BENNIE BARONE, WAS., YANCY DOUGLAS HARDY, WAS., PASQUALE JOSEPH BELCASTRO, WAS., [REDACTED], LAURENS STATE BANK, LAURENS, IOWA, NOVEMBER 3, 1950; MISPRISION OF FELONY; ACCESSORY AFTER THE FACT. BUFILE 91-5787.

REMYLET TO BUREAU OCTOBER 2, 1952. USM, OMAHA ADVISED TODAY THAT ABOUT TWO WEEKS AGO HE RECEIVED TELETYPE REQUESTING HIM TO DELIVER BELCASTRO AND [REDACTED] TO THE USP AT TERRE HAUTE, IND. "FOR THE PRESENT". THE OFFICE OF THE USM, OMAHA ALSO ADVISED TODAY THAT BELCASTRO AND [REDACTED] WILL BE REMOVED FROM THE DOUGLAS COUNTY JAIL, OMAHA 25TH INSTANT FOR TRANSPORTATION TO USP, TERRE HAUTE. AS A MATTER OF INFORMATION, BELCASTRO AND [REDACTED] FURNISHED EXCELLENT ASSISTANCE IN CONNECTION WITH PENDING INVESTIGATION OF FOLLOWING THREE BANK CASES: "UNSUBS, CITIZENS BANK OF WINIGAN, WINIGAN, MISSOURI, NOVEMBER 11, 1952; BR-B" (OM 91-745), "UNSUB, BANK OF PURDIN, PURDIN, MISSOURI, NOVEMBER 4, 1952; BR-B" (OM 91-747), AND "UNSUB, FARMERS STATE BANK OF CLIFTON HILL, CLIFTON HILL, MISSOURI, NOVEMBER 8 OR 9, 1952; BR-B" (OM 91-644). THIS WAS DONE THROUGH THEIR AGREEING, IN COOPERATION WITH THIS OFFICE, THE CELLING OF [REDACTED] AND [REDACTED] WITH THEM NOVEMBER 18 THROUGH 24, 1952. CIRCUMSTANTIAL EVIDENCE PRESENTLY IN POSSESSION

ELJ:DR
91-620

Approved: *(Signature)*

53 DEC 2 1952

Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

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PAGE TWO

THIS OFFICE THROUGH CI [REDACTED] INDICATES THAT THESE MEN, POSSIBLY
ASSISTED BY [REDACTED], COMMITTED THESE BANK BURGLARIES
AND POSSIBLY TWO IN KANSAS OF RECENT DATE. BELCASTRO AND [REDACTED]
SECURED MANY ADMISSIONS FROM THESE INDIVIDUALS CONCERNING LOCAL
BURGLARIES AND BANK BURGLARIES, ALL OF WHICH INFORMATION IS PRESENTLY
BEING FOLLOWED UP THROUGH INVESTIGATION IN THE KC, ST.LOUIS AND
OMAHA DIVISIONS AND WILL BE OF CONSIDERABLE ASSISTANCE IN INTERVIEWS
OF SUSPECTS [REDACTED] AND [REDACTED] JOINTLY BY AGENTS OF THESE DIVISIONS.

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DALTON

END.

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT **OMAHA**

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REPORT MADE AT OMAHA, NEBRASKA	DATE WHEN MADE 2-2-53	PERIOD FOR WHICH MADE 6/27; 7/5; 9/30; 10/1, 8, 11, 13, 16,	REPORT MADE BY ELMER L. JACOBSEN bk
TITLE BENNIE BARONE, was.; YANCY DOUGLAS HARDY, was.; PASQUALE JOSEPH BELCASTRO, was;		20-24; 11/6, 14; 12/10, 15/52 1/9, 29/53	CHARACTER OF CASE BANK ROBBERY - BURGLARY; MISPRISION OF FELONY; ACCESSORY AFTER THE FACT

Laurens State Bank, Laurens, Iowa, November 3, 1950

SYNOPSIS OF FACTS: Government witness PASQUALE JOSEPH BELCASTRO changed his testimony to implicate [redacted], Omaha night club and bar operator, as BARONE's assistant in changing the silver money, loot from the Laurens, Iowa, bank, into currency. [redacted] denied this upon interview by Agents and avoided service of a subpoena by the Defense. Signed statement secured from PETE BONACCI, close friend of BARONE, verified parts of BELCASTRO's and [redacted] testimony for the Government. BONACCI avoided being served with subpoena by Government. Upon trial, USDC, Omaha, 10-20-24/52, BARONE convicted on Count I of the Indictment; sentenced to 3 yrs. in custody of Attorney General and fined \$2500. BARONE's attorney filed notice of appeal with Circuit Court, 8th District, St. Louis. This court denied BARONE bond pending appeal; therefore he has been in Douglas County Jail, Omaha, since 10-24-52. Appeal to be heard 3-53. USA, Omaha, declined prosecution on additional violations of GEORGE EMERSON HART. Parole Report and Disposition Sheet submitted herewith.

COPIES DESTROYED
DETAILS: At Omaha Nebraska
928 SEP

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On September 30, 1952 Government witnesses PASQUALE JOSEPH BELCASTRO and [redacted] inmates of the Federal Correctional Institution, Milan, Michigan, were delivered to the Douglas County Jail, Omaha, by the U. S. Marshal for safekeeping pending the receipt of the testimony in the trial of BENNIE BARONE. These witnesses indicated that they would testify as they had previously testified before the U. S. Commissioner, Omaha, and the Federal Grand Jury returning a three count indictment against BARONE

APPROVED AND FORWARDED: COPY IN FILE COPIES OF THIS REPORT	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
2 - Bureau (91-5787) (Enc. 2) 1 - USA, Omaha		91-5787-446	SEARCHED INDEXED
2 - Omaha (91-5787)		FEB 4 1953	FILED
162 FEB 13 1953			STATS

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TO ANY OTHER AGENCY.

OM 91-620

July 21, 1951. However, on October 13, 1952, BELCASTRO called for interview with reporting agent. At that time he advised that he had testified falsely before the U. S. Commissioner and Federal Grand Jury concerning his activity in securing currency in exchange for the silver money taken from the Laurens State Bank, Laurens, Iowa. He pointed out that BARONE was still involved as much as ever, but that he had secured assistance from [redacted] operator of [redacted] Bar and Cafe at 824 North 16th Street, and also operator of The Wishbone, a nightclub, 76th and Dodge. BELCASTRO described how he had entered the residence of [redacted] via the backdoor with BENNIE BARONE and YANCY DOUGLAS HARDY, how he had observed confidential conversation between BARONE and [redacted] and how after leaving the residence of [redacted] after delivering the \$3100 worth of silver to him, he received \$1500 in currency from BARONE. BELCASTRO also advised that several days later he had secured an additional \$1500 through appearing with BARONE at [redacted] Bar on North 16th and observing BARONE receive \$1500 from a bartender there.

The residence of [redacted] in November 1950 was photographed by reporting agent. These photographs were exhibited to BELCASTRO who positively identified them as being of the residence he had entered with BARONE in above transaction.

[redacted] was interviewed on October 14, 1952 by SA [redacted] and reporting agent from 10:30 a.m. to 1:45 p.m. in a Bureau car, at the Douglas County Jail where he wanted to face BELCASTRO and deny BELCASTRO's allegation, and at his residence which was then [redacted]. Although BELCASTRO positively identified [redacted] as the individual whose assistance BARONE used in handling the silver money, [redacted] denied that he knew anything concerning the facts as related to him by reporting agent and BELCASTRO.

[redacted] bartenders of November 1951 were also interviewed with negative results for any information concerning the appearance at [redacted] Bar of BARONE and/or BELCASTRO in connection with the payment of the \$1500. They were [redacted] and [redacted]

It is to be noted that [redacted] admitted that he was well acquainted with BARONE, liked BARONE, and had employed BARONE during World War II as a bartender at his North 16th Street bar. It is also to be noted that BELCASTRO pointed out that there was considerable apparent affection between BARONE and [redacted] and that upon payment of the first \$1500 in above transaction, BARONE had told BELCASTRO that under no circumstances would he

OM 91-620

ever want to hear that BELCASTRO had mentioned that [redacted] assisted in cashing the silver. BELCASTRO also stated that BARONE indicated that if any word ever came out concerning [redacted] connection, that he, BARONE, would probably find it necessary to kill BELCASTRO.

BELCASTRO supported this with information which he claimed his [redacted] had received from BARONE by telephone. BELCASTRO stated that this was the result of his furnishing the name of [redacted] to [redacted] as an individual that he wanted [redacted] to obtain money for support of his family and in support of his, BELCASTRO's, bond making attempt. BELCASTRO claimed that when [redacted] name came to the attention of BARONE through [redacted] that BARONE immediately threatened BELCASTRO's life through his call to [redacted]. It was to these facts that BELCASTRO attributed his failure to tell the truth before the U. S. Commissioner and the Federal Grand Jury in connection with the preliminary prosecutive steps against BARONE. BELCASTRO stated that he feared for his life or he would not have testified falsely on those occasions.

Information furnished by BELCASTRO upon his arrival in Omaha September 30, 1952 indicated that it would possibly be productive to interview PETE BONACCI, Omaha nightclub operator and race horse owner. It appeared that BONACCI could well be considered a Defense witness to negate some of the information which would be supplied by BELCASTRO and [redacted] concerning associations between them and BARONE at the Paxton Hotel in October and November, 1950.

A two and a half page signed statement was secured from BONACCI on October 16, 1952 by SA [redacted] and the reporting agent. The signed statement corroborated most of the testimony subsequently furnished by BELCASTRO and [redacted] concerning the Paxton Hotel activities of BARONE. This signed statement has been enclosed in instant file.

Efforts were made by the U. S. Marshal, Omaha, on behalf of the Government to locate BONACCI for subpoena and on behalf of the Defense to locate [redacted]. Neither of these individuals was located in time for the trial of BARONE which took place in U. S. District Court, Omaha, from October 20-24, 1952.

On October 24, 1952 the Jury returned a verdict of guilty on Count I of the Indictment and not guilty on Counts II and III. Count I was the accessory after the fact violation, Title 18, Section 3, U. S. Code.

OM 91-620

BARONE was immediately taken into custody by the U. S. Marshal, Omaha, who placed him in the Douglas County Jail pending sentence. On November 6, 1952, U. S. District Judge JAMES A. DONOHOE sentenced BARONE to three years in the custody of the Attorney General and fined him \$2500.

BARONE's attorney filed a notice of appeal and BARONE declined to begin serving his sentence in any penitentiary. Assistant U. S. Attorney JOHN E. DEMING, Omaha, advised that the 8th District Circuit Court of Appeals, St. Louis, Missouri, will render its verdict on the appeal in March, 1953. Therefore, BARONE continues in custody in the Douglas County Jail. Mr. DEMING further advised that the Circuit Court of Appeals would not admit BARONE to bail due to the fact that there appeared to be no substantial question of the law in connection with his trial.

Assistant U. S. Attorney JOHN E. DEMING advised with regard to the indictment of BARONE, HARDY, BELCASTRO, and [redacted] for Conspiracy, that he had secured authority from the Department of Justice to dismiss against BELCASTRO, [redacted] and HARDY. He stated, however, that he was not going to do this until such time as he secured the same authority in connection with the conspiracy indictment of BARONE. He revealed that the request for dismissal of BARONE's indictment is presently receiving consideration but that final action may be delayed until such time as the outcome of BARONE's pending appeal is established.

The facts of this case concerning GEORGE EMERSON HART and his possible obstruction of justice during the summer and fall of 1951 in hiding material Government witness [redacted] from service of the subpoena of the U. S. District Court, Omaha, and the transportation of [redacted] to Moline, Illinois, were discussed with Mr. DEMING. He stated that in view of HART's conviction in February, 1952 for harboring KENNETH KITTS and in view of the fact that he felt that HART's handling of [redacted] was part of the same transaction, he would decline prosecution inasmuch as he believed the facts did not warrant same. HART is presently serving a three year sentence, beginning February 29, 1952 for harboring of KENNETH KITTS at North Platte, Nebraska, in February, 1951.

[redacted] also associated with HART and WILLIAM GLENN SLANKARD in the harboring of KITTS at North Platte. A separate file has been opened on this violation for which [redacted] and SLANKARD were indicted May 7, 1952 at Omaha, Nebraska. [redacted] and SLANKARD are to be tried at North Platte on February 2, 1953.

A Parole Report and Disposition Sheet are being enclosed herewith.

OM 91-620

In view of the fact that there remains an outstanding indictment of all subjects for Conspiracy and that same may continue to be outstanding for some time pending decision in BARONE's appeal action, this case is being placed in a pending inactive status for three months.

ENCLOSURES: To Bureau

Parole Report and Disposition Sheet

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FEDERAL BUREAU OF INVESTIGATION

Form No. 2

THIS CASE ORIGINATED AT OMAHA

FILE NO.

REPORT MADE AT: OMAHA, NEBRASKA	DATE WHEN MADE: 2-2-53	REPORT MADE BY: ELMER L. JACOBSEN b6
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NAME OF CONVICT WITH ALIASES:

BENNIE BARONE, was.

Laurens State Bank, Laurens, Iowa, November 3, 1950

VIOLATION:

ACCESSORY AFTER THE FACT

PAROLE REPORT

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A. OUTLINE OF THE OFFENSE

On the morning of November 3, 1950 BENNIE BARONE received \$3100 worth of silver money from convicted bank burglars PASQUALE JOSEPH BELCASTRO and YANCY DOUGLAS HARDY. This silver was from the burglary by BELCASTRO, HARDY and KENNETH ALLEN KITTS of the Laurens State Bank, Laurens, Iowa. In a long distance telephone call from Sioux City, Iowa, to BENNIE BARONE at Council Bluffs, Iowa, on the early morning of November 3, 1950, just following the bank burglary, BELCASTRO and [redacted] arranged with BARONE to have him receive the \$3100 worth of silver. This silver was delivered to BARONE at Omaha, Nebraska at which time he paid BELCASTRO and HARDY \$1500 in currency. Several days later, he furnished BELCASTRO another \$1500 sum of currency in final payment for the silver. BARONE made a \$100 profit in this transaction and in addition, borrowed several hundred dollars from BELCASTRO which he has reportedly not repaid.

On July 20, 1951, at Omaha, Nebraska, the Federal Grand Jury returned an indictment in three counts against BENNIE BARONE charging him with violations of Title 18, Sections 3, 2314, and 2113 (c), U. S. Code.

On October 24, 1952 the Petit Jury hearing these charges against BARONE at Omaha returned a verdict of guilty on Count I of the Indictment (Title 18, Section 3, Accessory After the Fact), and not guilty on Counts II and III. U. S. District Court Judge JAMES A. DONOHUE on November 6, 1952 sentenced BARONE on this conviction to three years in the custody of the Attorney General and fined him \$2500. BARONE remains in the Douglas County Jail.

(DO NOT WRITE IN THESE SPACES)

APPROVED AND FORWARDED <i>Signatures</i>	SPECIAL AGENT IN CHARGE	RECORDED AND INDEXED:
COPIES OF THIS REPORT FURNISHED TO:		CHECKED
3 - Bureau (91-5787) 2 - Omaha (91-620)		JACKETED:
2/10/53 FBI - OMAHA		2/10/53 BUREAU OF PRISONS
ROUTED TO:		FILE:

OM 91-620

Omaha, while perfecting his appeal. The decision on this is to be rendered by the 8th District Circuit Court of Appeals March 1953.

B. AGGRAVATING CIRCUMSTANCES

Government witness BELCASTRO advised on October 13, 1952 while held as a federal prisoner at Omaha awaiting to testify against BARONE in this case, that when he had been with BARONE in securing the first \$1500 payment on aforementioned silver money, BARONE told him that he would probably find it necessary to kill BELCASTRO should BELCASTRO advise the authorities that [redacted] had assisted BARONE in this transaction. Later, while being held as a defendant on the charge of burglarizing the Laurens State Bank, Laurens, Iowa, BELCASTRO mentioned [redacted] name to a friend of BARONE's as the man from whom he wished his, BELCASTRO's sister to obtain money for support of BELCASTRO's family and to assist BELCASTRO in his bond making attempt. BELCASTRO stated that this act resulted in BELCASTRO's sister receiving a threat on BELCASTRO's life by a telephone call from BARONE.

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It is also to be noted that BARONE was for years a close personal associate of known bank burglar KENNETH ALLEN KITTS who is presently serving time in Alcatraz for the burglary of the Laurens State Bank and about six other banks.

There are no known mitigating circumstances.

May 26, 1953

KENNETH ALLEN KITTS

In the early morning hours of December 10, 1948, three men entered a bank in Hurley, South Dakota, by prying open a rear window. Two of the men worked inside the bank while the other served as a lookout. The men inside the bank chiseled a hole through the wall of the vault, crawled through this hole and ransacked more than 200 safety deposit boxes.

While the burglary was in progress, a man who lived in an apartment nearby happened to walk near the bank building. He was struck on the head by the lookout man and dragged into the bank where he was bound to a chair with wire coat hangers.

Approximately thirty minutes later, the man's wife, becoming concerned about her husband's extended absence, went to look for him. She was accosted by the lookout man and she screamed. The bandit's gun flashed and the bullet grazed her shoulder. She screamed again and the lookout man struck her on the head with his pistol. She, too, was dragged into the bank and bound with wire coat hangers.

The three bank burglars left the bank at about 2:45 A.M. taking with them approximately \$45,000 in loot.

As they raced down the highway, the bandits threw their burglary tools from their car. Sometime later, they turned off the highway and drove about one-half mile into a deserted area. Here, they built a fire in the middle of the road and, using gasoline, burned the overshoes and coveralls which they had worn during the burglary, their tool satchel and the cardboard box in which they had carried the loot. In the light of the flames they divided the money.

Shortly after the three men left the bank, the man and his wife freed themselves and notified local law enforcement authorities who in turn notified the FBI.

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Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Geatty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
Vizor _____
Miss Gandy _____

LH:dmn

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On reporting for work at 8:00 A.M. on November 3, 1950, the janitor of a bank in Laurens, Iowa, discovered that the bank had been burglarized. The burglars had apparently entered through a rear window and punched the combination locks on two vault doors. More than 180 safety deposit boxes, some broken open and others opened with keys found in the bank, were rifled. The loot taken included \$25,470 in travelers' checks, an estimated \$8,290 from safety deposit boxes and \$4,488 in silver.

The FBI's investigation of this offense disclosed that this burglary was perpetrated by Kitts, Pasquale Joseph Belcastro and Fancey Douglas Hardy and that [redacted] had "fingered" the bank for them. [redacted]

Late on the morning of November 3, after the burglary, the trio went to an inn operated by [redacted] where the loot was divided. The silver was carried in a bushel basket and the bank's money bags. More than \$12,000 was split evenly among the three burglars after [redacted] was paid \$800 for "fingering" the bank.

Belcastro and [redacted] arranged with Dennis Barone, a tavern operator, to convert \$3,100 in silver into currency. The silver was delivered to Barone that day at which time he paid Hardy \$1,500 in currency. Several days later he furnished Belcastro an additional \$1,500, retaining \$100 as his profit.

(On October 24, 1952, the jury returned a verdict of guilty against Barone on the charge of accessory after the fact and on November 6, 1952, he was sentenced to serve three years and was fined \$2,500.)

Kitts retained possession of all the travelers' checks, totalling \$25,470, with the excuse that it was not safe to pass them. Later, however, Belcastro and Hardy felt that Kitts was holding out on them and was going to keep the proceeds from the checks for himself. They told Kitts that they had a buyer in Houston, Texas, who would take all of the travelers' checks and they would realize about 50 per cent of their face value.

Kitts turned the checks over to Belcastro who, instead of going to Texas, went to New York City where he met Hardy, [redacted] and [redacted] Dean Rowley. The checks were distributed to these individuals for passing.

* * * * *

To Special Agents of the FBI it appeared that constant coverage of Belcastro would completely fill out the Kitts puzzle. Due to the FBI's reputation many private citizens cooperated with the FBI in covering Belcastro's activities.

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b7C

Immediately following the Garretson burglary, Belcastro was heard counting more than \$200 in silver as he dropped it into a five-gallon whisky bottle. Later he was heard asking his wife where his "silver dollars" were. About this time, Belcastro's wife paid a bill with a \$10 roll of quarters. On another occasion, Agents learned of a discussion between Mr. and [redacted] Belcastro while she was packing Belcastro's traveling bag. [redacted] apparently began putting clothes in the wrong bag for Belcastro was heard shouting that this bag contained "tools" and that she should put nothing else in that bag.

Information was developed indicating that Belcastro and his wife were going east and possibly would have some connection with a certain address in Brooklyn, New York. A few days later a number of the travelers' checks stolen from the Laurens bank were cashed in New York City. Concentrated investigation concerning these checks led to the arrest on November 27, 1950, of [redacted] and Dean R. Rowley in possession of \$8,970 in travelers' checks from the burglary. In a signed statement [redacted] admitted "fingering" the Laurens bank and, together with Kitts, Hardu and Belcastro, counting the money from this burglary at [redacted] inn in Sioux City, Iowa.

Belcastro was apprehended at Chicago, Illinois, on December 4, 1950, and in signed statements admitted the burglary, with Kitts and Hardy, of the Laurens bank as well as other burglaries.

On December 6, 1950, Special Agents of the FBI arrested Kitts in Omaha, Nebraska, on a Federal warrant charging him with participation in the burglary of the Laurens, Iowa, bank. Kitts quickly posted bond and was released. However, FBI Agents arrested him again that same day at Bennie Barone's steakhouse in Council Bluffs, Iowa, on a warrant charging him with the October 4, 1950, burglary of the bank in Garretson, South Dakota. A \$50,000 bond was set for this offense and Kitts remained in jail.

Office Memorandum • UNITED STATES GOVERNMENT.

WHW

TO : Director, FBI (91-5787)
 FROM : SAC, Omaha Attention: FBI Laboratory
 SUBJECT: KENNETH ALLEN KITTS was, et al; Laurens State Bank, Laurens, Iowa November 3, 1950
 BR-B

DATE: 8/13/53

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N. S. F. L.

8/17

Investigation by FBI Agents in instant case secured two revolvers which were the property of KENNETH ALLEN KITTS. Investigation and court testimony proved these revolvers had been used by KITTS in perpetrating offenses for which he was tried, convicted, and sentenced in U. S. District Court at Mason City, Iowa in March 1951, to thirty years in the custody of the Attorney General. KITTS is presently serving this sentence in the U. S. Penitentiary, Alcatraz, California.

By court order filed in U. S. District Court, Sioux City, Iowa, on March 31, 1953, U. S. District Court Judge HENRY N. GRAVEN, Northern District of Iowa, directed that these guns be turned over to the Federal Bureau of Investigation. Therefore, these firearms are being forwarded under separate cover via Railway Express for appropriate disposition by the FBI Laboratory.

IN

PREVIOUS RECORD OF

NO PREVIOUS RECORD AS LISTED

They are described as follows:

- (1) .38 caliber Smith and Wesson revolver, butt serial no. 86689, obtained from [REDACTED] KITTS' accomplice, PASQUALE JOSEPH BELCASTRO.
- (2) .38 caliber Smith and Wesson snub-nose revolver, serial no. 10491, obtained from WILLIAM GLENN SLANKARD, Granite City, Illinois, on 2/6/51.

For the information of the Bureau in connection with the action remaining to be completed prior to the closing of this file, the following facts are set out:

Assistant U. S. Attorney JOHN DEMING, Omaha, Nebraska, advised 8/10/53 that the mandate of the 8th Circuit Court of Appeals, St. Louis, affirming the conviction of BENNIE BARONE in U. S. District Court, Omaha, in October 1952, was filed by the Clerk of the U. S. District Court, Omaha, on 8/10/53.

Mr. DEMING advised with regard to the still outstanding conspiracy indictment against BARONE, YANCY DOUGLAS HARDY, [REDACTED] and BELCASTRO, that he had received authority from the Department on 10/15/52 to dismiss against

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EX-100

91-36747-1

OM 91-620

all but BARONE. DEMING stated that this week he would write to the Department for similar authority in connection with BARONE. When this authority is received, he will dismiss the conspiracy indictment against all defendants at the same time, but does not expect this will happen for about sixty days. The Bureau may wish to furnish this information to the U. S. Board of Parole as of possible assistance to [redacted] and perhaps BELCASTRO, in connection with their efforts to make parole, it being noted that the previous letters to the Bureau have reflected the utmost cooperation received from these men since December 1950. Further, it is believed that both will provide fertile sources for information in the future.

It was learned on August 13, 1953 that [redacted] who is presently confined at Texarkana, Texas, comes up for parole next month. His wife, who is of excellent reputation, states that his recent letters indicate that three months of his earned good time is not reflected on his record. [redacted] understood that this may have been because of the considerable time [redacted] spent in Omaha and in the northern district of Iowa pending his testimony as a witness in the trials of KITTS and his other accomplices. She was hopeful that the Bureau could look into this good time question for her.

Howard L. Dutkin

The Evening Star-The Sunday Star

WASHINGTON 4, D. C.

Midwest Days

[REDACTED] Page 1

Cafe operator Barney Ruden stirred uneasily in his sleep.

That faint chipping, scraping sound sure was annoying. It carried
easily in the cold stillness of the early morning in Hurley, South Dak.,

December 10, 1948.

Suddenly Ruden bolted upright in his bed. Why, the noise was coming
from the Hurley State Bank, only a couple of doors away!

By this time, Mrs. Ruden, too, was awake. Together they listened.
The steady scraping continued.

"I'm going to see what this is all about," Ruden announced, slipping
into his trousers. Despite his wife's protestations, he bundled himself into an
overcoat and slipped out into the dimly-lit street.

Hurley's main stem could never be mistaken for Broadway. Not a
vehicle, not a person was in sight. The only sounds were those of feet crunching
through the crusted snow—and that scraping, growing louder as he approached the bank.

He peered at the rear door in the darkness. From somewhere in the
shadows outside the doorway, there was a movement. Then Ruden felt a numbing blow at
the side of his head. As in a dream he felt himself whirling through a black void.
He felt his feet dragging on the ground. Then, his mind clearing, he knew he was being
hauled through the now open door of the bank.

Page 1 ... midwest desperado

Eugene Raye, 33,

The following day another member of the gang, was arrested at Gardena, California where he had been picking up extra money as a card sharp at various clubs. Raye first met Kitts when the latter applied for a job with a cab company organized by Raye in 1946. By a queer quirk of fate Raye soon fired Kitts charging that Kitts was holding out on proceeds. Later Raye joined forces with his dishonest employee. FBI men arrested Kitts at his home in Omaha and charged him with the Laurens burglary.

The gang leader, aided by wealth and connections, had beaten a number of raps in the past. He was cocky and defiant.

"Okay, boys," he told the agents. "You won't have me for long." He was right. Within half an hour he was free under \$10,000 bond pending grand jury action. He sneered and winked at the Federal men as he left the hearing room.

But the G-men had the last laugh. Less than eight hours afterward they walked into Benny Barone's Last Chance cafe in Council Bluffs and put the arm on Kitts as he was about to tear into a two-inch porterhouse. This time they held a warrant charging him with the Garretson burglary.

A United States Commissioner set bond at \$50,000 despite an outcry from Kitts' lawyers that it was "prohibitive and a denial of liberty."

Unwilling or unable to meet the bond, Kitts was hauled off to the Linn County Jail at Cedar Rapids pending trial on five indictments charging bank burglaries.

Kitts told his captors: "If I could have been sure you would have killed me I would have kept on going, but I was afraid I might be only wounded and would linger."

The car was found to be fully gassed and Kitts revealed that he had intended to make a break for Florida the very night of the raid.

The thug's odd sense of humor cropped out when, en route with agents who were escorting him to the Federal penitentiary at Petersburg, Virginia, the group stopped for sandwiches and coffee. As the waiter presented a bill for \$13, Kitts, the big time spender, glared at the tab. "What a racket!" he remarked. He remarked to the waiter: "You have a license to steal. I could have gone straight myself in a racket like this!"

The bandit chief is currently confined in Max Leavenworth Penitentiary serving out a total of 50 years in prison terms.

One of his henchmen, Urville Eugene Rapue is under a 7-year term while ~~xxx~~ Belcastro has 20 years to go serve. Barone, the steak house operator drew 3 years for his part in converting the Laurens bank silver into currency. The Rowley brothers received four years apiece for passing the travellers checks. Prochko drew 5 years for fingering the Laurens bank while Hardy is serving a 20-year term for his part in the Kitts bank robberies.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (91-5787)

DATE: September 10, 1953

wcm
FROM : SAC, OMAHA (91-620)b6
b7CSUBJECT: KENNETH ALLEN KITTS, WAS., ET AL;
LAURENS STATE BANK, LAURENS, IOWA,
NOVEMBER 3, 1950.
BANK ROBBERY - BURGLARY

Rebulet to Omaha dated August 27, 1953, requesting the Bureau be furnished a complete summary of information reflecting the cooperative attitude of [redacted] and PASQUALE JOSEPH BELCASTRO, and also to advise the Bureau as to what type of information it is believed will be obtained from these two men in the future.

The summary reflecting the cooperation furnished by BELCASTRO and [redacted] was previously furnished the Bureau as an attachment to Omaha letter dated October 2, 1952. In addition to that summary these men appeared as witnesses in the trial of BENNIE BARONE held in U. S. District Court, Omaha, October 20 - 24, 1952, and reported in the report of SA ELMER L. JACOBSEN, Omaha, Nebraska, dated February 2, 1953.

It is felt that due to the background and associations of both [redacted] and BELCASTRO that they may possibly be able to re-establish channels of information which would assist this Bureau upon their release from prison. It is to be noted that they were able to furnish information of assistance in the case entitled [redacted]

[redacted], Citizens Bank of Winigan, Winigan, Missouri, November 11, 1952, BANK ROBBERY - BURGLARY, [redacted] as a result of their association with the Subjects, being celled with them on November 18 to 20, 1952 in the Douglas County Jail.

EAD:MCM

SAC OMAHA
9-24-53 MS

RECORDED-57 91-5787-423

EX-103

PB

SAC, Omaha (91-620)

September 28, 1953

RECORDED-14

Director, FBI (91-5787)

KENNETH ALLEN KITTS, WAS, ET AL
LAURENS STATE BANK,
LAURNS, IOWA
NOVEMBER 3, 1950
BANK ROBBERY - BURGLARY

b6
b7C

In connection with your letters of August 13, 1953, and September 10, 1953, the Bureau file in the instant case was completely reviewed. As was pointed out in your letters of August 13, 1953, and September 10, 1953, Pasquale Joseph Belcastro, and [redacted] have been cooperative and have appeared as witnesses against subjects Kenneth Allen Kitts, Vancy Douglas Hardy and Bennie Barone.

It was also noted in your letter of August 13, 1953, that AUSA John Deming, Omaha, Nebraska, has received authority from the Department to dismiss the still outstanding conspiracy indictment against Belcastro, [redacted] and Hardy. He has expressed the intention of writing to the Department for authority to dismiss against Barone but has not actually done so. Your letter pointed out that upon receipt of authority to dismiss against Barone, Mr. Deming intends to dismiss against all defendants at the same time but does not expect that this will happen for about 60 days.

The fact that [redacted] and Belcastro have appeared as Government witnesses has been highly publicized and it is felt this might possibly have some effect on their value as potential informants.

After careful consideration at the Bureau it is felt it would be undesirable at this time to address a communication to the United States Board of Parole advising the Board of Parole that the USA intends to dismiss the conspiracy indictment against [redacted] and Belcastro upon receipt of authority to dismiss the conspiracy indictment against Barone.

The above is being furnished for your information.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
SISzoo _____
Miss Gandy _____

MAILED 8
SEP 28 1953
COMM-FBI

RJG:eam/ms/nb

FEDERAL BUREAU OF INVESTIGATION

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b7c

Form No. 1
THIS CASE ORIGINATED AT OMAHA

REPORT MADE AT OMAHA, NEBRASKA	DATE WHEN MADE 12/23/53	PERIOD FOR WHICH MADE 11/20, 28/53	REPORT MADE BY EDWARD A. DONAHOE JIM
TITLE BENNIE BARONE, was.; YANCY DOUGLAS HARDY, was.; PASQUALE JOSEPH BELCASTRO, was.; [REDACTED] [REDACTED]; Laurens State Bank, Laurens, Iowa, November 3, 1950		CHARACTER OF CASE BANK ROBBERY - BURGLARY; MISPRISION OF FELONY; ACCESSORY AFTER THE FACT	

SYNOPSIS OF FACTS:

In accordance with Rule 48, Federal Rules of Criminal Procedure, a conspiracy indictment in the above matter was dismissed as to all defendants in USDC, Omaha, Nebr., 11/10/53.

- C -

DETAILS: AT OMAHA, NEBRASKA

Assistant United States Attorney JOHN E. DEMING, Omaha, Nebraska, advised that in accordance with Rule 48, Federal Rules of Criminal Procedure, the conspiracy indictment which had been returned on July 20, 1951 against BENNIE BARONE and co-defendants PASQUALE JOSEPH BELCASTRO, YANCY DOUGLAS HARDY, and [REDACTED] was dismissed on November 10, 1953 as to all defendants in United States District Court, Omaha.

- C -

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ADMINISTRATIVE PAGE

REFERENCE: Report of SA ELMER L. JACOBSEN dated 2/2/53 at Omaha.
Report of SA ELMER L. JACOBSEN dated 6/11/53 at Omaha.